

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

UNITED STATES OF AMERICA

v.

RODNEY GAINES et al.,

Defendant

CRIM. NO. SAG-22-00125

**GOVERNMENT’S RESPONSE TO DEFENDANT’S
MOTION TO CONTINUE SENTENCING**

The United States of America, by counsel, hereby responds to the Defendant’s motion to continue the sentencing. The government asks that the Court deny the motion and that sentencing proceed as scheduled. In support of that request, the government states as follows:

1. The sentencing of the above-captioned Defendant is currently scheduled for July 8, 2025. As the defense motion points out, the government has arranged for the attendance of victim family members for the sentencing. One of them will be traveling a substantial distance requiring flying. Rescheduling the sentencing at this stage would likely be personally inconvenient for the witnesses as well as potentially emotionally taxing.

2. A government law enforcement witness has also made arrangements to travel from Hawaii for the sentencing.

3. The government understands the defense’s desire to be able to review the evidence discussed in the motion to continue. However, the evidence in question (the extraction from a law enforcement officer’s cell phone, which is also the subject of the Defendant’s recent Rule 33 motion for a new trial) was disclosed to the defense during the trial, almost three months ago. The defense has undoubtedly had a thorough opportunity to review the information via examination by counsel and persons working with counsel. A continuance is not necessary to

allow the Defendant to have a reasonable opportunity to review the information, guided by defense counsel's own examination.

WHEREFORE, the United States respectfully requests that the Court deny the motion to continue the sentencing in the above-captioned matter.

Respectfully submitted,

Kelly O. Hayes
United States Attorney

By: _____/s/_____
LaRai N. Everett
Michael C. Hanlon
Assistant United States Attorneys

36 South Charles Street
Fourth Floor
Baltimore, Maryland 21201
(410) 209-4895
Michael.hanlon@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify this 3rd day of July 2025 that a copy of the foregoing is being sent by
CM/ECF to:

Charles Burnham, Esquire

/s/
Michael C. Hanlon
Assistant United States Attorney

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ORDER

Upon consideration of the Defendant's motion to continue sentencing, and the government's response, and the record,

It is this _____ of July 2025 ORDERED THAT the motion is DENIED.

Hon. Adam B. Abelson
United States District Judge

Date